

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BETHANY KATZ, on behalf of herself and
all those similarly situated,

Plaintiffs,

v.

DNC SERVICES
CORPORATION, et al.,
Defendants.

CIVIL ACTION
NO. 16-5800

Jones, II J.

September 27, 2019

ORDER

AND NOW, this 27th day of September, 2019, upon consideration of the Third Amended Complaint (ECF No. 135), Defendant Pennsylvania Democratic Party's Motion to Dismiss the Third Amended Complaint (ECF No. 139), all responses thereto (ECF Nos. 143, 150), Defendant DNC Services Corporation's Motion to Dismiss the Third Amended Complaint (ECF No. 140), all responses thereto (ECF Nos. 143, 149), Plaintiffs' Motion for Judicial Notice (ECF No. 153), and all responses thereto (ECF Nos. 154, 155), it is hereby **ORDERED** as follows:

1. Defendant DNC Services Corporation's Motion to Dismiss is **GRANTED**. The Third Amended Complaint is **DISMISSED WITH PREJUDICE** as to Defendant DNC Services Corporation.

2. Defendant Pennsylvania Democratic Party's Motion to Dismiss the Third Amended Complaint is **GRANTED**, in part. Paragraphs 2 and 59 are hereby **STRICKEN** from the Third Amended Complaint and a common law conspiracy claim will not be permitted to proceed against Defendant Pennsylvania Democratic Party. The remainder of Defendant Pennsylvania Democratic Party's Motion to Dismiss is **DENIED**.

3. Plaintiffs' Motion for Judicial Notice is **DENIED**.

4. Pursuant to the Joint Stipulation to Extend the Time to Respond to Plaintiff's Motion for Conditional Collective Action Certification (ECF No. 157), Defendant Pennsylvania Democratic Party shall respond to said motion within twenty-one (21) days of the filing of this Order.

BY THE COURT:

/s/ C. Darnell Jones, II

C. DARNEll JONES, II J.